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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,200	10/30/2000	Tadashi Ohashi	1341.1066/JDH	6729

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EXAMINER

WON, MICHAEL YOUNG

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/698,200

Applicant(s)

OHASHI, TADASHI

Examiner

Michael Y Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-14, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 9, 10, 15, 16 and 17 have been amended.
2. Claims 1-17 have been re-examined and are pending with this action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 10-12, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer et al. (US 6,125,391 A).

INDEPENDENT:

As per claims 1 and 10, Meltzer teaches of a document managing control system comprising: a document information storage server which stores a document information (see col.2, lines 38-42: "BIDs"; col.7, lines 55-61; and col.11, lines 2-10); a rule information storage server which stores a rule information ("definitions": taught all throughout the reference, i.e., col.3, lines 14-18 & 22-32) on registering (see col.9, lines 36-37 and col.83, lines 45-46) or *making reference to/receiving* (see col.5, lines 22-25) said document information in or from said document information storage server (see col.2, lines 60-67; col.3,

Art Unit: 2155

lines 14-18 & 22-32; col.4, lines 50-52; col.9, lines 36-37); and a registration or *reference/receipt* client (see Fig.1, #11-#14: "market participants"), which is connected to said document information storage server and said rule information storage server via a network (see Fig.1, #15 and #17: "market maker"), which registers or makes reference to/receiving said document information in or from said document information storage server according to said rule information, derived from said rule information storage server (see Fig.15; col.9, lines 35-44; and col.83, lines 53-67).

Meltzer does not explicitly teach that the document is related to hardware and a firmware to compose a product. However, these differences are only found in nonfunctional descriptive material and are not functionally involved in the steps recited. Accordingly, Meltzer describes in general, a plurality of possibilities of what the document, data, or "interpretation information" in the repository could comprise of (see col.8, lines 16-24; col.11, lines 2-10: "services and products"; and col.12, lines 8-17). The step of storing a document would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the invention from prior art in terms of patentability. See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowery*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ any type of data within the document having any type of content because such data does not functionally

Art Unit: 2155

relate to the steps recited and claimed and because the subjective interpretation of the document does not patentably distinguish the claimed invention.

As per claims 16 and 17, Meltzer teaches of and a computer readable recording medium (see col.5, lines 31-40) for storing a document managing control program controlling a registration client *or reference/receiving client*, which is connected via a network to a document information storage server storing a document information see col.2, lines 38-42: "BIDs"; col.7, lines 55-61; and col.11, lines 2-10) and to a rule information storage server storing registration rules (see col.2, lines 60-67; col.3, lines 14-18 & 22-32; col.4, lines 50-52; col.9, lines 36-37), according to a process comprising: registering (see col.9, lines 36-41) *or managing referencing/receiving of* (see col.5, lines 22-25 and col.6, lines 31-36) said document information in said document information storage server based upon the registration rules from said rule information storage server (see Fig.15; col.9, lines 35-44; and col.83, lines 53-67).

Meltzer does not explicitly teach that the document is related to hardware and a firmware to compose a product. However, these differences are only found in nonfunctional descriptive material and are not functionally involved in the steps recited. Accordingly, Meltzer describes in general, a plurality of possibilities of what the document, data, or "interpretation information" in the repository could comprise of (see col.8, lines 16-24; col.11, lines 2-10: "services and products"; and col.12, lines 8-17). The step of storing a document would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the invention from prior art in terms of patentability. See *In re*

Art Unit: 2155

Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowery, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ any type of data within the document having any type of content because such data does not functionally relate to the steps recited and claimed and because the subjective interpretation of the document does not patentably distinguish the claimed invention.

DEPENDENT:

As per claim 2, Meltzer further teaches wherein said a plurality of document information storage servers are provided and plural and various document information are distributed and stored in the plurality of document information storage servers, respectively (see Fig.1, #15, #17, and #18: "market maker").

As per claim 3, Meltzer teaches of further comprising a meta information storage server, which is connected to said network, which stores a meta information having a layered construction of at least document information; wherein said registration client registers said meta information in said meta information storage server and identifies said document information according to the meta information to register the document information in said document information storage server based upon the rule information (see col.7, lines 55-61).

As per claim 4, Meltzer teach wherein said registration client registers said document information, which is described by an XML (see col.2, lines 64-67).

Art Unit: 2155

As per claims 5 and 11, Meltzer teaches of further comprising a rule verifier (see Fig.15, #1511: "service manager") verifying a deliberation result of a written rule, which is a source of said rule information, and registering rule information in response to the verification result in said rule information storage server (see col.84, lines 54-63).

As per claims 6 and 12, Meltzer teaches of further comprising an agent deducing said rule information (see col.84, lines 17-25).

4. Claims 7, 8, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer et al. (US 6125391 A) in view of Fields et al. (US 6128655 A). Meltzer does not teach wherein said agent evaluates a deduction result of said rule information by a fuzzy detection from 0 to 1. Fields teaches of an agent means evaluating the deduction result of said rule information by a fuzzy detection (see col.12, lines 19-24) from 0 to 1 (subjective). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Fields within the system of Meltzer by implementing evaluating the deduction result of said rule information by a fuzzy detection within the component managing control system and program because Fields teaches that with documents that vary a great deal, there needs some intelligence in the parsing or filtering mechanism such as by fuzzy logic or AI. It is evident by Meltzer that the documents do vary a great deal (see col.1, line 32: "diverse clients"); therefore, one of ordinary skill in the art would employ the teachings taught by Fields.

Allowable Subject Matter

5. Claims 9 and 15 are allowable. The following is a statement of reasons for the indication of allowable subject matter: Prior art of record, Meltzer et al. (US 6,125,391 A) and Fields et al. (US 6,128,655 A), do not disclose, teach, or suggest the claim limitation of further comprising a replacer repeatedly replacing a document type definition (DTD) information of said document information, which is described by an XML, by using a predetermined method so that the evaluation value in said agent becomes maximum or minimum, when the evaluation value does not satisfy a target value, as claimed in claims 9 and 15.

Response to Arguments

6. In response to the applicant's argument regarding claims 1, 10, 16 and 17, that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "automatic document registration and reference/retrieval of the registered documents...") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, although "document information with respect to a wholeness of a hardware and firmware are not to compose a product" is not explicitly taught

Art Unit: 2155

by Meltzer et al. US Pat. No.6125391 (herein referred to as Meltzer) and Fields et al. US Pat. No.6128655 (herein referred to as Fields), such subjective information will not distinguish the invention in terms of patentability (see claim rejections above).

Clearly, Meltzer teaches all the limitations of the recited independent claims 1, 10, 16, and 17.

Applicant's arguments with respect to claim 6 have been considered and a new reference location has been provided to better teach the limitations.

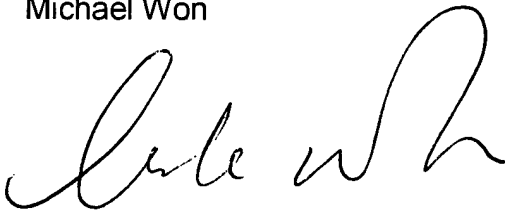
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Won

A handwritten signature in black ink, appearing to read 'Michael Won', written in a cursive style.

December 1, 2004


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER